



Waste Management Division

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APPLICATION TO

Certify a Waste-Derived Product for Distribution & Use

*pursuant to
the provisions of Chapter Env-Wm 3200 of the New Hampshire Solid Waste Rules (Rules)*

APPLICATION FILING AND PROCESSING INSTRUCTIONS

- (1) Complete this form by providing all of the information requested. If you need more space than provided on the form to answer a particular question and you are using a paper copy of this form, attach additional pages as necessary; mark each page clearly to show both the applicant name and the question being answered; and indicate on the form that the additional pages are attached. If you are using a disk version of this form and need more space to answer a particular question, you may create the additional space on the form itself by following the instructions provided on the disk. However, do **NOT** alter the form in any other way.
- (2) Submit **THREE** copies of the completed application form, **EACH bearing ORIGINAL signatures**, to the following address:

**New Hampshire Department of Environmental Services (DES)
Waste Management Division (WMD)
Permitting & Design Review Section (P&DRS)
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095**
- (3) All references on this form beginning with "Env-Wm" are citations from the New Hampshire Solid Waste Rules (Rules). You may obtain a copy of the Rules from the DES Public Information and Permitting Office at (603) 271-2975. The Rules are also available on the Internet at <http://www.des.state.nh.us>.
- (4) DES will process your application in conformance with Env-Wm 3207.
- (5) For further assistance with completing this form, or to obtain a disk copy of this form, contact the DES Permitting & Design Review Section (P&DRS) at (603) 271-2925 or at the above noted mailing address.
- (6) You may also contact DES at TDD Access: Relay NH 1 (800) 735-2964.

SECTION I. APPLICANT IDENTIFICATION

Provide the following information to identify the applicant. Note: If the product being certified is a proprietary product, the applicant must be the proprietor.

(1)	Applicant name:		
(2)	Mailing address:		
(3)	Telephone number:		
(4)	If different than above, identify the individual associated with and designated by the applicant to be the contact individual for matters concerning this application:		
	(a)	Name:	(b) Title:
	(c)	Mailing address:	
	(d)	Telephone number:	
(5)	If the applicant is an individual, provide date of birth and go to question (7) below:		
(6)	If the applicant is a corporation, partnership or other association, provide the following information as specified:		
	(a)	The facility is owned by a: <input type="checkbox"/> corporation <input type="checkbox"/> partnership <input type="checkbox"/> other association	
	(b)	State of incorporation/formation:	
	(c)	Principal business address:	

	(d)	Provide on separate paper and attach/mark as "Attachment I(6)(d)," the names and addresses of all directors, officers and shareholders (*), if for a corporation; all partners (whether general or limited), if for a partnership; or all principals, members or participants, if for another type of association. (*) For a privately held corporation, identify <u>all</u> shareholders. For a publicly traded corporation, identify all shareholders owning 10% or more of the corporation's equity or debt.
(7)	Identify the applicant's interest in having the waste-derived product certified. Check all of the following which apply:	
	<input type="checkbox"/>	The applicant produces or intends to produce the waste-derived product.
	<input type="checkbox"/>	The applicant distributes or intends to distribute the waste-derived product to users or other distributors.
	<input type="checkbox"/>	The applicant generates or intends to generate the waste used to produce the waste-derived product.
	<input type="checkbox"/>	The applicant collects or intends to collect from generators or others, the waste used to produce the waste-derived product.
	<input type="checkbox"/>	The applicant uses or intends to use the waste-derived product.
	<input type="checkbox"/>	Other (specify):

SECTION II. PRODUCT IDENTIFICATION AND GENERAL DESCRIPTION

Provide the following information to identify and describe in general terms the subject waste-derived product:

(1)	Product common name (name which denotes the general purpose of the product, such as "aggregate," "driveway sealer," "glue," or "absorbent"):
(2)	Product trade name, if any:
(3)	General purpose(s) for which the product will be used (more detail regarding the same is requested in Section V(1) of this form):
(4)	Briefly describe the physical appearance of the product and any distinguishing characteristics. Also identify the waste and other material content of the product, by type and relative quantity:
(5)	Identify a comparable existing non-waste-derived product(s), if any, by common name and trade name if applicable:
(6)	Have you verified with the Department that this waste-derived product is not already certified for distribution and use? <input type="checkbox"/> YES <input type="checkbox"/> NO (If NO, you should do so)

SECTION III. PRODUCT MANUFACTURER IDENTIFICATION

Provide the following information to identify the manufacturer(s) of the waste-derived product:

(1)	Is the waste-derived product a proprietary product? <input type="checkbox"/> YES (If YES, the proprietor <u>must be</u> the applicant as identified in Section I of this form.) <input type="checkbox"/> NO	
(2)	If the waste-derived product is non-proprietary, provide the name(s) and location(s) of all existing manufacturers and potential manufacturers known to the applicant, including the applicant if applicable.	
	Manufacturer Name	Principal Business Location/Address

SECTION IV. PRODUCTION

Provide the following information to describe how the waste-derived product is/will be produced:

(1)	Identify and characterize the WASTE INGREDIENT(S) used to produce the waste-derived product, as follows:	
	(a)	Identify and characterize the type of waste used to make this product (i.e., the "waste ingredients"). Include a description of the <u>physical appearance</u> and <u>physical state</u> of the waste ingredient(s), including whether the waste ingredient is a solid, liquid or gas:
	(b)	Describe other distinguishing characteristics of the waste ingredient(s), including any characteristics which have the potential to create a nuisance and/or adversely effect the environment, public health and safety, such as odor, dust, fire or explosion; any potential respiratory hazards including the potential for dust or fumes; and any potential dermal contact hazards, for instance chemical burns to skin:
	(c)	Provide documentation and materials detailing the general quality of the waste ingredient(s), including: <ul style="list-style-type: none"> Physical, chemical and, where appropriate, biological characteristics of the waste ingredient(s) based on current and representative sampling or equivalent documentation and including analytical test results for those constituents that are reasonably thought to be present in the waste and which are known or suspected, by way of published scientific documentation, to pose a potential risk to human health or the environment; and Material safety data sheets for the waste ingredients and constituents of the waste ingredients, if published pursuant to OSHA regulations. Mark any attached information as "Attachment IV(c)" and list the attachments below.
	(d)	Describe the process by which each waste ingredient is generated:

(e)	Identify all known generators of the waste ingredient(s), including name(s) and location(s):	
	Generator Name	Location/Address
(f)	Estimated quantity of waste generated annually in New Hampshire:	
(2)	Describe the process by which the WASTE-DERIVED PRODUCT is or will be produced, as follows:	
(a)	Provide product specifications, which establish:	
	<ul style="list-style-type: none"> Material and waste content; Acceptance limits for material and waste ingredients, using physical, chemical and biological parameters as appropriate to the type(s) of material(s) and type(s) of waste being used to produce the waste-derived product; and Other factors, as necessary to identify the minimum standards the waste-derived product shall meet prior to being released by the manufacturer for distribution and use. 	
	Mark any attached information as "Attachment IV(2)(a)" and list the attachments below:	
(b)	Describe the process, from beginning to end, including a description of:	
	<ul style="list-style-type: none"> Any processing or treatment applied to the waste ingredient(s) prior to producing the waste-derived product; The specific industrial or manufacturing practices and/or technologies used to produce the waste-derived product; and Residual and bypass waste management practices. 	
	Mark any attached information as "Attachment IV(2)(b)" and list the attachments below:	
(c)	Submit process flow diagrams and/or schematic diagrams as appropriate, depicting the process described pursuant to (b) above. Mark as "Attachment IV(2)(c)".	
(d)	Submit the product quality assurance/quality control procedures that will be used to affirm the waste-derived product meets the standards specified pursuant to (a) above. Mark as "Attachment IV(2)(d)".	

SECTION V. USE, DISTRIBUTION AND MARKETS

Provide the following information to describe how the waste-derived product will be distributed and used, and to identify markets.

(1)	Describe, in detail, all intended uses of the product:
(2)	Identify potential hazards to the environment, public health and safety which may result from using the product as intended:
(3)	Describe all product use and disposal restrictions which are necessary to assure that use and disposal of the product will not pose an increased risk to the environment, public health and safety:
(4)	Demonstrate the existence, or reasonable expectation of the existence, of a market for the waste-derived product, based on the following:
	<ul style="list-style-type: none"> A comparison of the characteristics and specifications of the waste-derived product or material and the required market characteristics and specifications of the product or material; The benefit that will be achieved by use of the waste-derived product; and Information to document existing use of the same or similar waste-derived product and/or a contract to purchase the waste-derived product.
(5)	Estimated market value of the waste-derived product, in dollars per appropriate unit of measurement: \$
(6)	Describe how the waste-derived product will be distributed for use:

SECTION VI. DEMONSTRATION OF CRITERIA

Using the information you have provided in Sections IV and V above, provide a written assessment demonstrating how each of the following criteria for certification shall be met by the production, distribution and use of the waste-derived product.

Env-Wm 3204.04 Need. The applicant shall demonstrate a need for the waste-derived product based on the following criteria:

- (a) The waste-derived product shall either:
 - (1) Be comparable in form and function to an existing product in the market place which is not derived from waste, and shall perform as effectively or more effectively than the existing product; or
 - (2) Satisfy an identifiable and unfulfilled need in society without violating the universal environmental performance standards in Env-Wm 2702.
- (b) There shall be an identifiable user or buyer for the waste-derived product; and
- (c) Waste derived products used for agronomic purposes shall provide an identifiable benefit(s) to the sites to which it is land applied.

Env-Wm 3204.05 Product Quality and Quality Control. The applicant shall demonstrate that the production process meets the following requirements:

- (a) Production of the waste-derived product shall neither:
 - (1) Cause a violation of any requirement in Env-Wm 2700; nor
 - (2) Pose a greater risk to the environment, public health and safety than does the production of an existing comparable non-waste-derived product or, if no comparable non-waste-derived product exists, by directly disposing of the waste in accordance with the New Hampshire Solid Waste Rules;
- (b) The physical and analytical characteristics of the waste used to produce the product shall be defined in a written specification;
- (c) The physical and analytical characteristics of the waste-derived product shall be defined in a written specification; and
- (d) The production process shall include quality assurance/quality control procedures to assure the defined specifications shall be met through the production process.

Env-Wm 3204.06 Impact on Society. The applicant shall demonstrate that use of the waste-derived product in society shall have a minimal net impact based on the following requirements:

- (a) Use of the waste-derived product as intended shall neither:
 - (1) Cause a violation of any requirement in Env-Wm 2700; nor
 - (2) Pose a greater risk to the environment, public health and safety than does the use of an existing comparable non-waste-derived product or, if no comparable non-waste-derived product exists, by disposing of the waste in accordance with the New Hampshire Solid Waste Rules; and
- (b) Disposal of the waste-derived product shall not pose a greater risk to the environment, public health and safety than would be posed by directly disposing of the waste from which the product is produced.

SECTION VII. SIGNATURE AND CERTIFICATION OF APPLICATION INFORMATION

The applicant must sign the following statement prior to submitting this application. All copies of the application filed with DES must bear the applicant's ORIGINAL signature. If the applicant is not an individual, an individual duly authorized by the applicant shall sign the application.

To the best of my knowledge and belief, the information and material submitted herewith is correct and complete. I understand that any approval granted by DES based on false and/or incomplete information shall be subject to revocation or suspension, and that administrative, civil or criminal penalties may also apply. I certify that this application is on a complete and accurate form, as provided by DES, without alteration of text.

Applicant Name (Print Clearly or Type)

Applicant Signature

Date